

## § 64.11

## 33 CFR Ch. I (7–1–15 Edition)

water, which may interfere with or restrict marine navigation.

[CGD 78–156, 48 FR 11267, Mar. 17, 1983. Redesignated and amended by CGD 91–031, 57 FR 43402, Sept. 21, 1992; USCG–2001–9044, 68 FR 42601, July 18, 2003; USCG–2007–27887, 72 FR 45902, Aug. 16, 2007]

### Subpart B—Sunken Vessels and Other Obstructions

SOURCE: CGD 78–156, 48 FR 11267, Mar. 17, 1983, unless otherwise noted. Redesignated by CGD 91–031, 57 FR 43402, Sept. 21, 1992.

#### § 64.11 Marking, notification, and approval requirements.

(a) The owner and/or operator of a vessel, raft, or other craft wrecked and sunk in a navigable channel must mark it immediately with a buoy or beacon during the day and with a light at night. The requirement to mark the vessel, raft, or other craft with a light at night may be waived by the District Commander pursuant to § 64.13 of this subpart.

(b) The owner and/or operator of a sunken vessel, raft, or other craft that constitutes a hazard to navigation must mark it in accordance with this subchapter.

(c) The owner and/or operator of a sunken vessel, raft, or other craft must promptly report to the District Commander, in whose jurisdiction the vessel, raft, or other craft is located, the action they are taking to mark it. In addition to the information required by 46 CFR 4.05, the reported information must contain—

(1) Name and description of the sunken vessel, raft, or other craft, including type and size;

(2) Accurate description of the location of the sunken vessel, raft, or other craft, including how the position was determined;

(3) Water depth; and

(4) Location and type of marking established, including color and shape of buoy or other beacon and characteristic of the light, if fitted.

(d) The owner and/or operator of a vessel, raft, or other craft wrecked and sunk in waters subject to the jurisdiction of the United States or sunk on the high seas, if the owner is subject to the jurisdiction of the United States,

must promptly report to the District Commander, in whose jurisdiction the obstruction is located, the action they are taking to mark it in accordance with this subchapter. The reported information must contain the information listed in paragraph (c) of this section, including the information required by 46 CFR 4.05.

(e) Owners and/or operators of other obstructions may report the existence of such obstructions and mark them in the same manner as prescribed for sunken vessels.

(f) Owners and/or operators of marine pipelines that are determined to be hazards to navigation must report and mark the hazardous portion of those pipelines in accordance with 49 CFR parts 192 or 195, as applicable.

(g) All markings of sunken vessels, rafts, or crafts and other obstructions established in accordance with this section must be reported to and approved by the appropriate District Commander.

(h) Should the District Commander determine that these markings are inconsistent with part 62 of this subchapter, the markings must be replaced as soon as practicable with approved markings.

[USCG–2012–0054, 78 FR 77590, Dec. 24, 2013]

#### § 64.13 Approval for waiver of markings.

(a) Owners and/or operators of sunken vessels, rafts or other craft sunk in navigable waters may apply to the District Commander, in whose jurisdiction the vessel, raft, or other craft is located, for a waiver of the requirement to mark them with a light at night as required under § 64.11(a) of this subpart. Information on how to contact the District Commander is available at <http://www.uscg.mil/top/units>.

(b) The District Commander may grant a waiver if it is determined that—

(1) Marking the wrecked vessel, raft or other craft with a light at night would be impractical, and

(2) The granting of such a waiver would not create an undue hazard to navigation.

[USCG–2012–0054, 78 FR 77590, Dec. 24, 2013]